

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

LENIER AYERS,

Plaintiff,

v.

LESLIE SZIEBERT, *et al.*,

Defendants.

Case No. C07-5520 RJB/KLS

ORDER DENYING PLAINTIFF'S  
MOTION FOR MORE DEFINITE  
STATEMENT

This matter comes before the Court on Plaintiff's Motion for More Definite Statement. Dkt.

28. The Court has considered the pleadings filed in support of the motion and the file herein.

On March 12, 2008, Plaintiff filed a "Supplemental/Response" seeking injunctive relief. Dkt.

18. On March 27, 2008, Magistrate Judge Karen L. Strombom issued a Report and Recommendation recommending that the Court deny Plaintiff's request for injunctive relief. Dkt. 20. On April 7, 2008, Plaintiff filed Objections to that report and recommendation. Dkt. 22. On April 18, 2008, the Court adopted the Report and Recommendation. Dkt. 23. On April 25, 2008, Plaintiff filed a Motion for More Definite Statement. Dkt. 28. Plaintiff argues that "The Court did not provide the Plaintiff with its reason or reasons for having denied his motion for a temporary restraining order." Dkt. 28, ¶1.

A party may move for a more definite statement of a pleading to which a responsive pleading is allowed but which is so vague or ambiguous that the party cannot reasonably prepare a response. Fed. R. Civ. P. 12(e). This is not the proper procedural posture for a more definite statement. The

1 Court should deny Plaintiff's Motion for More Definite Statement.

2 The Court, however, will address Plaintiff's argument with regard to the lack of reasons for  
3 denying his request for injunctive relief. Plaintiff has expressed his concern that he cannot properly  
4 frame his appeal based on the Court's brief order that adopted the report and recommendation. By  
5 adopting the Magistrate Judge's Report and Recommendation, the Court adopted the reasoning  
6 stated within that report.

7 Therefore, it is hereby

8 **ORDERED** that Plaintiff's Motion for More Definite Statement (Dkt. 28) is **DENIED**.

9 The Clerk is directed to send uncertified copies of this Order to all counsel of record and to  
10 any party appearing *pro se* at said party's last known address.

11 DATED this 19<sup>th</sup> day of May, 2008 .

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13 ROBERT J. BRYAN  
14 United States District Judge  
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